

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington, Suite 301
Indianapolis, IN 46204
(317) 233-0696
<http://www.in.gov/legislative>

FISCAL IMPACT STATEMENT

LS 6987

BILL NUMBER: HB 1650

NOTE PREPARED: Dec 30, 2006

BILL AMENDED:

SUBJECT: Enforcing Ordinances and Prosecuting Ordinance Violations.

FIRST AUTHOR: Rep. Borders

BILL STATUS: As Introduced

FIRST SPONSOR:

FUNDS AFFECTED: **GENERAL**
 DEDICATED
 FEDERAL

IMPACT: Local

Summary of Legislation: This bill provides that an individual not admitted to the practice of law in Indiana may be appointed to represent a city or town in ordinance violation cases in city court or town court.

Effective Date: July 1, 2007.

Explanation of State Expenditures:

Explanation of State Revenues:

Explanation of Local Expenditures: Municipalities which contract on an hourly basis with local attorneys would be able to save some money if a non-attorney prosecutes the case instead.

The staff person's involvement in an ordinance violation case will depend on the degree that each case is litigated. Cases involving jury and bench trials, where witnesses are sworn and evidence is presented, would likely involve the most time for a staff person.

The following table shows the number of persons prosecuted for a municipal ordinance violation in CY 2004 and 2005.

Municipal Ordinance Violations Disposed in CY 2004 and CY 2005 by Method of Disposition		
<u>Method of Disposition</u>	<u>2004</u>	<u>2005</u>
Jury Trials		58
Bench Trials	708	720
Bench Dispositions	1,291	647
Dismissals	6,252	6,850
Guilty Plea	7,624	7,670
Deferred	3,055	2,683
Violations Bureau	6,600	6,154
Failed to Appear or Pay	3,619	2,898
Other	<u>3,750</u>	<u>2,409</u>
Total Dispositions	<u>32,899</u>	<u>30,089</u>

Explanation of Local Revenues:

State Agencies Affected:

Local Agencies Affected: City and town courts.

Information Sources: *2004 and 2005 Indiana Judicial Report.*

Fiscal Analyst: Mark Goodpaster, 317-232-9852.